



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Peter GLUCKMAN *et al.*

Application No.: 10/606,745

Filed: June 27, 2003

For: IGF-1 TO IMPROVE NEURAL  
OUTCOME (As Amended)

)  
)  
) Group Art Unit: 1654

)  
) Examiner: Jeffrey E. RUSSEL

)  
) Confirmation No.: 5345

**SECOND INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached Form PTO/SB/08A are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

**I. Timing of the Second Information Disclosure Statement:**

This Second Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☐ Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.
- ☒ Before the mailing of a first Office action after the filing of a request for continued examination under § 1.114. *See 37 C.F.R. § 1.97(b)(4).*
- ☐ After a first Office Action on the merits but prior to the closing of prosecution, therefore under 37 C.F.R. § 1.97(c), the fee set forth in 37 C.F.R. § 1.17(p) is enclosed. This fee (\$180) should be charged to the undersigned's Deposit Account No. 50-2518.

**II. Copies of the Cited Items:**

- ☐ Copies of all of the items listed on the attached Form PTO-1449 are enclosed.
- ☐ Copies of only the following items listed on the attached Form PTO-1449 are enclosed: \_\_\_\_\_.
- ☐ Copies of items listed on the attached Form PTO-1449 are not supplied because they were previously cited by or submitted to the Patent Office in prior Application No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon in this application for an earlier filing date under 35 U.S.C § 120.  
*See 37 C.F.R. § 1.98(d).*
- ☐ Copies of those items which are marked with an asterisk (\*\*) in the attached Form PTO-1449 were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.
- ☒ Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited on the attached Form PTO/SB/08A is enclosed. However, copies of the listed U.S. Patents and U.S. Patent Application Publications are not enclosed since it is no longer required.

**III. Conclusion:**

Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

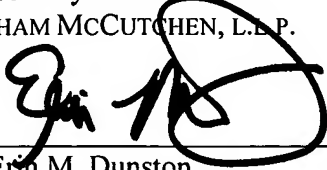
It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached Form PTO/SB/08A with initials or other appropriate marks.

The Commissioner is hereby authorized to charge Deposit Account No. 50-4047 for any additional fees required in connection with the filing of this Second Information Disclosure Statement.

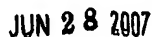
Respectfully submitted,  
BINGHAM MCCUTCHEN, L.L.P.

Date: June 28, 2007

By: \_\_\_\_\_

  
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Substitute for form 1449/PTO

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of

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Application Number	10/606,745
Filing Date	June 27, 2003
First Named Inventor	Peter GLUCKMAN et al.
Art Unit	1654
Examiner Name	Jeffrey E. RUSSEL
Attorney Docket Number	704652-9001

[illegible][illegible]

**Examiner  
Signature**

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*